

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO:

VASQUEZ, et al,

Plaintiffs,

v.

Civil Action No. 2:15-cv-05855

ETHICON, INC.,  
ETHICON, LLC and,  
JOHNSON & JOHNSON,

Defendants.

**MEMORANDUM OPINION AND ORDER**

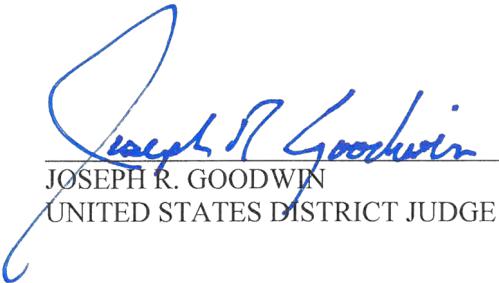
On November 14, 2018, a Notice of Death of Plaintiff was filed by plaintiffs' counsel suggesting the death of plaintiff Patsy Hyder on April 9, 2016. [ECF No. 65]. Defendants filed a Motion to Dismiss without prejudice under Rule 25(a). [ECF No. 67]. Plaintiffs' counsel responded confirming that plaintiff Patsy Hyder is deceased and that they were unable to comply with the requirements of PTO # 308. [ECF No. 68].

Pursuant to Federal Rule of Civil Procedure 25(a) and Pretrial Order ("PTO") # 308 (Requirements for Counsel to Deceased Plaintiffs) filed in *In re: Ethicon, Inc., Pelvic Repair System Products Liab. Litig.*, 2:12-md-2327 [ECF No. 6218], the time to substitute a proper party for the deceased party has expired and there has been no motion to substitute the deceased party.

The court **ORDERS** that pursuant to Rule 25(a) and PTO # 308, the claims of plaintiff Patsy Hyder are **DISMISSED without prejudice**. Plaintiffs remain in this case and it should remain open.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: March 1, 2021



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

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IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO:

JOY J. MILLER,

Plaintiff,

v.

Civil Action No. 2:13-cv-08507

ETHICON, INC.,  
ETHICON, LLC and,  
JOHNSON & JOHNSON,

Defendants.

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum Opinion and Order of this date, the court **ORDERS** that this case be **DISMISSED** without prejudice and **STRICKEN** from the docket of this court.

The court **DIRECTS** the Clerk to file a copy of this Order and to send a copy of this Order to counsel and any unrepresented party.

ENTER: February 26, 2020